

AN ACT

relating to the powers and duties of the Harris County Municipal Utility District No. 478; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 8334.005(b), Special District Local Laws Code, is amended to read as follows:

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, ~~[ex]~~ improvement, operation, or maintenance of macadamized, graveled, or paved roads ~~[described by Section 54.234, Water Code]~~, or improvements, including storm drainage, in aid of those roads.

SECTION 2. Section 8334.103(a), Special District Local Laws Code, is amended to read as follows:

(a) Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads ~~[described by Section 54.234, Water Code]~~, or improvements, including storm drainage, in aid of those roads.

SECTION 3. Subchapter C, Chapter 8334, Special District

1 Local Laws Code, is amended by adding Sections 8334.1035 and  
2 8334.107 to read as follows:

3 Sec. 8334.1035. ROAD STANDARDS AND REQUIREMENTS. (a) A  
4 road project must meet all applicable construction standards,  
5 zoning and subdivision requirements, and regulations of each  
6 municipality in whose corporate limits or extraterritorial  
7 jurisdiction the road project is located.

8 (b) If a road project is not located in the corporate limits  
9 or extraterritorial jurisdiction of a municipality, the road  
10 project must meet all applicable construction standards,  
11 subdivision requirements, and regulations of each county in which  
12 the road project is located.

13 (c) If the state will maintain and operate the road, the  
14 Texas Transportation Commission must approve the plans and  
15 specifications of the road project.

16 Sec. 8334.107. DIVISION OF DISTRICT. (a) The district may  
17 be divided into two or more new districts only if the district:

- 18 (1) has never issued any bonds; and  
19 (2) is not imposing ad valorem taxes.

20 (b) This chapter applies to any new district created by the  
21 division of the district, and a new district has all the powers and  
22 duties of the district.

23 (c) Any new district created by the division of the district  
24 may not, at the time the new district is created, contain any land  
25 outside the area described by Section 2 of the Act enacting this  
26 chapter.

27 (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of  
2 the real property in the district, may adopt an order dividing the  
3 district.

4 (e) An order dividing the district must:

5 (1) name each new district;

6 (2) include the metes and bounds description of the  
7 territory of each new district;

8 (3) appoint temporary directors for each new district;

9 and

10 (4) provide for the division of assets and liabilities  
11 between or among the new districts.

12 (f) On or before the 30th day after the date of adoption of  
13 an order dividing the district, the district shall file the order  
14 with the Texas Commission on Environmental Quality and record the  
15 order in the real property records of each county in which the  
16 district is located.

17 (g) Any new district created by the division of the district  
18 shall hold a confirmation and directors' election as required by  
19 Section 49.102, Water Code.

20 (h) Municipal consent to the creation of the district and to  
21 the inclusion of land in the district granted under Section  
22 8334.004 acts as municipal consent to the creation of any new  
23 district under this section and the inclusion of land in the new  
24 district.

25 (i) Any new district created by the division of the district  
26 must hold an election as required by this chapter to obtain voter  
27 approval before the district may impose a maintenance tax or issue

1 bonds payable wholly or partly from ad valorem taxes.

2 (j) If the creation of the new district is confirmed, the  
3 new district shall provide the election date and results to the  
4 Texas Commission on Environmental Quality.

5 SECTION 4. Sections 8334.103(b) and 8334.104, Special  
6 District Local Laws Code, are repealed.

7 SECTION 5. The Harris County Municipal Utility District  
8 No. 478 retains all the rights, powers, privileges, authority,  
9 duties, and functions that it had before the effective date of this  
10 Act.

11 SECTION 6. (a) The legislature validates and confirms all  
12 governmental acts and proceedings of the Harris County Municipal  
13 Utility District No. 478 that were taken before the effective date  
14 of this Act.

15 (b) This section does not apply to any matter that on the  
16 effective date of this Act:

17 (1) is involved in litigation if the litigation  
18 ultimately results in the matter being held invalid by a final court  
19 judgment; or

20 (2) has been held invalid by a final court judgment.

21 SECTION 7. (a) The legal notice of the intention to  
22 introduce this Act, setting forth the general substance of this  
23 Act, has been published as provided by law, and the notice and a  
24 copy of this Act have been furnished to all persons, agencies,  
25 officials, or entities to which they are required to be furnished  
26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
27 Government Code.

1           (b) The governor, one of the required recipients, has  
2 submitted the notice and Act to the Texas Commission on  
3 Environmental Quality.

4           (c) The Texas Commission on Environmental Quality has filed  
5 its recommendations relating to this Act with the governor, the  
6 lieutenant governor, and the speaker of the house of  
7 representatives within the required time.

8           (d) All requirements of the constitution and laws of this  
9 state and the rules and procedures of the legislature with respect  
10 to the notice, introduction, and passage of this Act are fulfilled  
11 and accomplished.

12           SECTION 8. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2019.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 4686 was passed by the House on May 3, 2019, by the following vote: Yeas 123, Nays 17, 2 present, not voting; and that the House adopted H.C.R. No. 181 authorizing certain corrections in H.B. No. 4686 on May 24, 2019, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 4686 was passed by the Senate on May 21, 2019, by the following vote: Yeas 30, Nays 1; and that the Senate adopted H.C.R. No. 181 authorizing certain corrections in H.B. No. 4686 on May 26, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor